

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
SEATTLE DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

PATH AMERICA, LLC; PATH AMERICA
SNOCO LLC; PATH AMERICA FARMER'S
MARKET, LP; PATH AMERICA KINGCO
LLC; PATH AMERICA TOWER, LP; PATH
TOWER SEATTLE, LP; POTALA TOWER
SEATTLE, LLC; and LOBSANG DARGEY,

Defendants, and,

POTALA SHORELINE, LLC; POTALA
VILLAGE KIRKLAND, LLC; DARGEY
DEVELOPMENT, LLC; DARGEY
ENTERPRISES, LLC; and PATH OTHELLO,
LLC,

Relief Defendants.

Case No. 2:15-cv-01350-JLR

~~PROPOSED~~ ORDER APPROVING
RECEIVER MICHAEL A. GRASSMUECK'S
MOTION FOR: (1) APPROVAL OF
RECEIVER'S CLOSING DECLARATION
AND ACCOUNTING; (2) AUTHORITY TO
PAY ADMINISTRATIVE FEES AND REMIT
FUNDS TO THE UNITED STATES DISTRICT
COURT; AND (3) DISCHARGE OF
RECEIVER

NOTED ON MOTION CALENDAR
January 8, 2021

PROPOSED ORDER

This matter came before the Court on the request of Michael A. Grassmueck (the
"Receiver"), the court-appointed Receiver for Path America LLC; Path America SnoCo LLC; Path
America Farmer's Market, LP; Path America KingCo, LLC; Path America Tower, LP; Path Tower
Seattle, LP; Potala Tower Seattle, LLC; Potala Shoreline, LLC; Potala Village Kirkland, LLC;

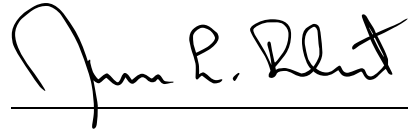
1 Dargey Development, LLC; Dargey Enterprises, LLC; Path Farmer's Market, LLC; and Dargey
 2 Holdings, LLC (collectively, "Receivership Entities"), for: (1) Approval of Receiver's Closing
 3 Declaration and Accounting; (2) Authority to Pay Administrative Fees and Remit Funds to the
 4 United States District Court; and (3) Discharge of Receiver ("Motion" (Dkt. # 712)). The Court,
 5 after having considered the Motion, the Closing Declaration of Receiver Michael A Grassmueck
 6 in Support of Motion for : (1) Approval of Receiver's Final Accounting; (2) Authority to Pay
 7 Administrative Expenses and Remit Funds to the District Court; and (3) Discharge of
 8 Receiver, ("Closing Declaration"), filed concurrently in support thereof, any objections thereto,
 9 and other pleadings filed in this action, and finding that the fees and costs were reasonable and
 10 necessary, that notice was appropriate, and that the services provided by the Receiver were of
 11 substantial benefit to the estate, hereby ORDERS, ADJUDGES AND DECREES as follows:

- 12 1. The Motion (Dkt. # 712) is granted.
- 13 2. The Receiver's Closing Declaration and accounting are approved.
- 14 3. The fees and costs requested by the Receiver and Allen Matkins are approved and
 15 allowed. The Receiver is authorized to pay from the receivership estate assets, the fees and costs
 16 requested by the Receiver and Allen Matkins.
- 17 4. The Receiver is to remit the balance of funds in the receivership estate to the
 18 United States District Court, to be applied to the restitution debt of Lobsang Dargey in Case No.
 19 2:17-CR-00001, via check payable to "United States District Court Clerk", with a reference to
 20 "U.S. v. Dargey, Case No. 2:17-cr-00001" on the memo line on the face of the check. The check
 21 shall be mailed or delivered to: U.S. District Court Clerk, Attn. Finance Clerk, 700 Stewart Street,
 22 Lobby Level, Seattle, Washington 98101.
- 23 5. The Receiver is hereby discharged and released from his duties and obligations as
 24 the federal equity receiver in the above referenced matter. As such, the Receiver is released from
 25 any and all claims and liabilities associated with the receivership, the distribution of proceeds, the
 26 receivership entities and the individual defendants named in this action.
- 27 6. Jurisdiction over all disputes, claims and causes of action arising out of or relating
 28 to the Receiver or the receivership case is reserved in this Court.

1 7. The receivership is hereby closed.

2 IT IS SO ORDERED.

3 Dated this 14th day of January, 2021.

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7 Hon. James L. Robart
8 Judge, United States District Court

9 Presented By:

10 s/ David R. Zaro

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